

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

In Section 1 of the Office Action, the Examiner notes that claims 1-7 were provisionally elected in a telephone conversation with Mr. William S. Frommer on May 8, 2003. This election is hereby confirmed. Therefore, claims 1-7 are elected and claims 8-12 are withdrawn.

Upon entry of this amendment, 1, 3-7 and 13 will be pending. By this amendment, claims 1 and 5-7 have been amended, claim 2 has been canceled, and new claim 13 has been added.

§102 Rejection of Claims 1-2, and 4-7

In Section 3 of the Office Action, the Examiner has rejected claims 1-2, and 4-7 under 35 U.S.C. §102(e) as being unpatentable over Shih et al. (U.S. Patent No. 6,405,362; hereinafter referred to as "Shih"). This rejection is respectfully traversed below.

Regarding claim 1, as shown above, claim 1 has been amended and calls for:

1. An information processing apparatus for reading data from a detachable predetermined recording medium, comprising:
 - loading detection means for detecting the loading of a recording medium into said information processing apparatus, wherein said recording medium stores data;
 - starting means for starting, in response to the loading of said recording medium detected by said loading detection means, a resident application program for processing said data stored on said recording medium, wherein said resident application program is already stored in said information processing apparatus before said recording medium is loaded into said information processing apparatus;

unloading detection means for detecting the unloading of said recording medium from said information processing apparatus; and
ending means for ending, in response to the unloading of said recording medium detected by said unloading detection means, said resident application program.

Accordingly, in one aspect of claim 1, the starting means starts a resident application in response to detecting the loading of the recording medium and the ending means ends the resident application in response to detecting the unloading of the recording medium. The resident application is already stored in the information processing apparatus before the recording medium is loaded into the information processing apparatus. Therefore, the resident application is not loaded from the recording medium.

Considering the Examiner's rejection of claim 1 in Section 3 of the Office Action as applied to amended claim 1, it does not appear that the arguments presented by the Examiner in rejecting claim 1 over Shih in Section 3 of the Office Action establish how Shih shows or suggests amended claim 1. The portions of Shih referenced by the Examiner appear to describe installing and running an autorun program and an application program from a flash memory card. However, as noted above, in claim 1, the application started and stopped by the starting means and the ending means, respectively, is a resident application stored in the information processing apparatus before the recording medium is loaded into the information processing apparatus. The resident application is not installed from the recording medium or run from the recording medium. The resident application is already stored in the information processing apparatus. Therefore, it does not appear that the Examiner's arguments in Section 3 address how Shih, as referenced by the Examiner, shows or suggests this aspect of claim 1.

Accordingly, it does not appear that the Examiner has established how Shih, as referenced by the Examiner in rejecting claim 1, shows or suggests at least these aspects of amended claim 1, and so it is submitted that the Examiner has not established how Shih shows or suggests amended claim 1 as a whole. Claims 3-4 and 13 depend from claim 1, and it is also submitted that the Examiner has not established how Shih shows or suggests claims 3-4 and 13, through their dependence on claim 1. Similar arguments apply to claims 5-7. Claim 2 has been canceled, obviating the rejection of claim 2.

Based upon the foregoing, it is submitted that claims 1-2, and 4-7 are not anticipated by nor rendered obvious by the teachings of Shih, as presented and referenced by the Examiner. Accordingly, it is submitted that the Examiner's rejection of claims 1-2, and 4-7 based upon 35 U.S.C. §102(e) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 3

In Section 8 of the Office Action, the Examiner has rejected claim 3 under 35 U.S.C. §103(a) as being unpatentable over Shih in view of Sato (U.S. Patent No. 6,067,398; hereinafter referred to as "Sato"). This rejection is respectfully traversed below.

Claim 3 depends from claim 1. As discussed above, it is submitted that the rejection of claim 1 has been overcome. Therefore, it is respectfully submitted that the rejection of claim 3 has been overcome through the dependence of claim 3 on claim 1.

Based upon the foregoing, it is submitted that claim 3 is not anticipated by nor rendered obvious by the teachings of Shih and Sato, as presented and referenced by the Examiner. Accordingly, it is submitted that the Examiner's rejection of claim 3 based upon 35 U.S.C.

§103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

New Claims

New claim 13 depends from claim 1. As discussed above, it is submitted that the rejection of claim 1 has been overcome. Therefore, claim 13 should be allowable.

Conclusion

In view of foregoing, entry of this amendment, and the allowance of this application with claims 1, 3-7, and 13 is respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicants' representative at the telephone number written below.

PATENT

Appl. No. 09/845,994

Attorney Docket No. 450100-03203

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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